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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/632,214 | 08/03/2000 | Joseph M. Cannon | Cannon-104-93-51 | 1174 |

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EXAMINER

VAUGHAN, MICHAEL R

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2131

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/632,214

Applicant(s)

CANNON ET AL.

Examiner

Michael R Vaughan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-25 have been examined and are pending.

Specification

The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

Drawings

The drawings are objected to because the drawings contain stray marks left by a copier machine. The labels are not all uniformly thick and legible. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Formal drawings are required in response to the instant Office action.

Claim Rejections - 35 USC ' 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chou et al, herein Chou (USP 5,353,124) in view of Schneier (Applied Cryptography).

As per claims 1, 9, 11, 20, and 24, Chou teaches transmitting confidential data over a facsimile transmission whereby the receiver sends his/her password to the sender before a fax is transmitted (column 2, lines 33-35). Chou uses a password to authenticate the receiver so that only the receiver can have access to the fax. Chou teaches that the sender could look up the receiver's personal key to obtain the receiver's identity (column 2, lines 38-41). This equates to a public key. One of

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ordinary skill in the art would know the use of public and private keys. Chou fails to teach that the sender compares the receiver's password to a local password before sending the fax.

Schneier teaches comparing the received password to a locally computed password in order to authenticate a party (pg 54). Schneier teaches a well-known authentication protocol in which the sender sends a string to the receiver. The receiver then encrypts the string with a private key, which is sent back to the sender (notification of a password request signal). This is synonymous with Chou's teaching of the receiver sending the key back to the sender. Once the sender has the key, the sender decrypts the key with the public key of the receiver, which the sender can look up. Chou teaches this step as well. The sender then compares the received key with the key that was first sent for a match. If a match is found, the sender knows the receiver is trustworthy.

In view of this, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Schneier within the system of Chou because Schneier's protocol authenticates the receiver to the sender before any data has been sent to the receiver. This would be advantageous because it would allow the sender to know exactly who is receiving the fax. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

As per claims 2 and 16, Chou teaches the device comprises a facsimile machine (Figure 1, element 12).

As per claims 3 and 17, Chou discloses a system, which comprises a computer like device (column 2, lines 64-68). Chou does not explicitly disclose the use of a PC modem. PC modems embody the function of a fax machine for computers. Chou discloses a fax machine (Figure 1, element 12). In view of this, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Chou and include a PC modem because a PC modem can perform all of the functions that a fax machine performs.

As per claims 4 and 18, Chou teaches the device comprises a chipset (column 2, lines 64-68).

As per claims 5 and 19, Chou teaches the device comprises a digital signal processor (column 2, lines 60-63).

As per claims 6, 13, and 21, Chou teaches encrypting the confidential information (column 2, lines 45-50).

As per claims 7, 14, and 22, Chou fails to the encryption process is a PGP encryption. Schneier teaches that the PGP encryption process is very secure encryption protocol, which is well suited for ANSI messages (pgs 584-587). The PGP encryption process is much more secure than the encryption process used by Chou. It

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would be advantageous to improve the level of encryption. In view of this, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Schneier within the system of Chou because a higher level of encryption would decrease the chance that a malicious user could decrypt the encrypted fax.

As per claims 8, 15, and 23, Chou teaches decrypting confidential information (column 3, lines 25-30).

As per claims 10, 12, and 25, Chou teaches generating a distribution request signal to prompt a far end user to enter distribution instructions (column 3, lines 20-25).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R Vaughan whose telephone number is 703-305-0354. The examiner can normally be reached on M-F 7:30-4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MV
Michael R Vaughan

Examiner

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AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100